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Note verbale dated 11 February 2011 from the Permanent Mission of Italy to the United Nations addressed to the Secretariat

The Permanent Mission of Italy to the United Nations presents its compliments to the Secretariat and, with reference to Italy's candidature to the Human Rights Council for the term 2011-2014, in accordance with General Assembly resolution 60/251, has the honour to enclose herewith the voluntary pledges and commitments of the Government of Italy to the promotion and protection of human rights (see annex).

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Annex to the note verbale dated 11 February 2011 from the Permanent Mission of Italy to the United Nations addressed to the Secretariat

The candidature of Italy to the Human Rights Council, 2011-2014: voluntary pledges and commitments

Introduction

1. After completing its first term from 2007 to 2010, Italy has decided to present its candidature to the Human Rights Council for the 2011-2014 period. Election to this important body would enable Italy to contribute more directly to the Council's activities and to its key role in the promotion and protection of human rights worldwide.

2. As a member of the Human Rights Council, and in keeping with the voluntary pledges and commitments undertaken upon the presentation of our candidature in 2007, Italy has worked to strengthen the United Nations human rights system in close cooperation with treaty bodies, special procedures and the pertinent United Nations agencies and offices, including the Office of the High Commissioner for Human Rights. We are committed to fostering the protection of human rights also in the regional framework and actively support the efforts in this field by the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe (OSCE).

3. Italy has a long tradition of promoting and protecting human rights. At the international level, we believe human rights play a crucial role in guaranteeing peace, preventing conflicts and fostering the growth of stable and democratic societies. In a national capacity and as a European Union member, we strongly support the promotion of human rights worldwide. The most effective defence of human rights is through dialogue with all States and cooperation in multilateral forums, particularly the United Nations, in keeping with the principles of universality, impartiality and objectivity.

4. Italy has a productive collaboration with the United Nations High Commissioner for Human Rights, and cooperates fully with the special procedures of the Human Rights Council, to which it has issued a standing invitation. We have provided the necessary arrangements for the following visits to Italy: independence of judges and lawyers (2002); human rights of migrants (2004); freedom of expression (2004); racism (2006); and arbitrary detention (2008). Italy also received visits from the independent institutions of regional organizations such as the Commissioner for Human Rights of the Council of Europe (2004, 2008, 2009), the European Committee for the Prevention of Torture (2004, 2006, 2008, 2009), the European Commission against Racism and Intolerance (2005 and 2010), the OSCE Representative on Freedom of the Media (2005), the OSCE Office for Democratic Institutions and Human Rights and the OSCE High Commissioner on National Minorities (2008), and OSCE election assessment missions (2006, 2008).

5. Italy submits in a timely and thorough manner its periodic reports to the treaty bodies of the United Nations on the implementation of its obligations under international law. Italy has ratified all the core human rights treaties, accepting the extensive international obligations associated with the protection and promotion of human rights.

6. The treaties Italy has ratified are: Convention on the Prevention and Punishment of the Crime of Genocide (1952); Convention relating to the Status of Refugees (1954) and its Protocol (1972); International Covenant on Economic, Social and Cultural Rights (1978); International Covenant on Civil and Political Rights (1978) and its First Optional Protocol (1978) and Second Optional Protocol (1995); International Convention on the Elimination of All Forms of Racial Discrimination (ratified on 5 January 1976); Convention on the Elimination of All Forms of Discrimination against Women (1985) and its Optional Protocol (2000); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1989); Convention on the Rights of the Child (1991) and its Optional Protocols on the sale of children and on children in armed conflict (2002); Rome Statute of the International Criminal Court (1999); Convention on the Rights of Persons with Disabilities and its Optional Protocol (2009). In addition, Italy has accepted the individual complaints mechanism stipulated in the Committee on the Elimination of Racial Discrimination and the Convention against Torture and in the Optional Protocols to the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities.

7. Italy has been a strong supporter of international criminal justice and was the host, in 1998, of the United Nations conference whose proceedings led to the adoption of the Rome Statute establishing the International Criminal Court.

8. We also placed our signature on three other major agreements: the Optional Protocol to the Convention against Torture (2003); the International Convention for the Protection of All Persons from Enforced Disappearance (2007); and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2009). Domestic procedures for the ratification of the first two treaties have been initiated, consistent with our pledges as a member of the Human Rights Council.

9. At the regional level, Italy has ratified several human rights treaties. These include the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its Protocols, the European Convention on the Exercise of Children's Rights and the European Social Charter. Italy fully recognizes the jurisdiction of the European Court of Human Rights.

10. As a founding member of the European Union, Italy has been fully committed to European integration from the start and deeply involved in the process of its institutional reforms. These include the drafting of the Charter of Fundamental Rights of the European Union, which sets out in a single text the full range of civil, political, economic and social rights of all European citizens and residents. With the entry into force of the Lisbon Treaty, the Charter has become legally binding.

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

11. In accordance with General Assembly resolution 60/251, Italy hereby presents a set of voluntary pledges and commitments in the field of human rights.

12. Italy is the sixth largest contributor to the regular budget and to the peacekeeping budget of the United Nations. On a voluntary basis, it provides

significant financial support to a broad array of United Nations activities. Our human rights commitment is focused on increasing the effectiveness of the United Nations, particularly the Human Rights Council, the Office of the High Commissioner for Human Rights and other major United Nations agencies and programmes.

13. In this framework, we will:

(a) Work constructively with and within the Human Rights Council and other bodies and mechanisms that have been or will be established under it;

(b) Encourage States with a strong human rights record to run for membership in the Human Rights Council;

(c) Support the work of the special procedures established by the Human Rights Council, including active participation in "interactive dialogues" with them;

(d) Devote every effort to improving the effectiveness of the universal periodic review process, in which Italy has participated since its establishment, in a spirit of constructive engagement and dialogue with States under review;

(e) Combat impunity, inter alia by promoting ratification of the Statute of the International Criminal Court;

(f) Promote initiatives in human rights education and training within the Human Rights Council's agenda, including the adoption of a United Nations declaration on the matter and implementation of the World Programme for Human Rights Education;

(g) Continue to support the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, with a focus on the early warning of massive and serious violations of human rights.

14. Discrimination on the basis of religion or belief is a major human rights violation wherever it occurs. The promotion of freedom of religion or belief and the protection of religious minorities are key priorities of Italy's human rights foreign policy.

15. Consistent with this commitment, Italy will:

(a) Support initiatives at the international and regional levels to combat religious intolerance and assure adequate protection for all religion minorities;

(b) Support the work of the Special Rapporteur on freedom of religion or belief;

(c) Support initiatives by the Alliance of Civilizations to foster interreligious and intercultural dialogue.

16. A sustained effort is needed to eradicate racism, racial discrimination, xenophobia and related forms of intolerance. The best way to combat discriminatory attitudes and behaviour is through laws, education and dialogue among cultures. Italy will thus:

(a) Implement specific legislation to counter expressions of racism and xenophobia, including the dissemination of racial or ethnic hatred and incitement to commit discriminatory acts of violence on racial, ethnic or religious grounds;

(b) Update its national action plan against racism, adopted in 2006, in line with the requirements defined by the United Nations system;

(c) Support initiatives and resolutions presented to the Human Rights Council to prevent and combat racism, racial discrimination and related forms of intolerance and xenophobia;

(d) Promote ambitious educational measures to help eradicate all forms of discrimination.

17. Violence against women is a grave and widespread human rights violation that affects countless women and obstructs the achievement of equality, development and peace. Italy played an active role in the approval of Security Council resolution 1820 (2008) on sexual violence in conflict situations and is about to launch its national action plan on Security Council resolution 1325 (2000), to enhance the coordination and consistency of all its activities related to women and peace and security. In 2009, during our presidency of the Group of Eight, we organized an international conference on the various forms and manifestations of violence against women, including domestic violence, rape and stalking. A component of these efforts is initiatives to stop female genital mutilation: Italy is working with concerned States to raise international awareness and is contributing to the programmes of the United Nations Children's Fund and the United Nations Population Fund to promote the abandonment of this practice. Italy is currently Vice-President of the bureau of the Commission on the Status of Women. Along these lines, Italy will:

(a) Confirm and increase its commitment to implement laws and policies in the field of women's rights to prevent and combat violence against women in all its forms, including domestic violence, rape and stalking;

(b) Support international initiatives, together with other regional groups and countries, in particular within the United Nations framework, to promote the complete abandonment of the practice of female genital mutilation wherever it occurs.

18. Italy attaches the utmost priority to the rights of the child. The international protection of children is an essential component of several Italian initiatives — including our active support for recent resolutions adopted by the General Assembly and the Human Rights Council — and bilateral development programmes. We dedicate special attention to actions concerning children involved in armed conflict.

19. During our term on the Security Council, we constantly advocated the inclusion of specific child-protection provisions in the mandates of United Nations peacekeeping missions. Italy is a member of the Group of Friends on children and armed conflict, which brings together States committed to advancing this issue at the United Nations, and contributes to an important training project of the Department of Peacekeeping Operations in this field. As a State party to the Convention on the Rights of the Child and its two Optional Protocols, Italy has dedicated special efforts to the fight against sexual crimes involving children and the protection of children from trafficking. In this framework, Italy will:

(a) Continue to support international initiatives and development programmes in favour of children;

(b) Continue to support initiatives and programmes for child soldiers and child victims of armed conflict;

(c) Combat child pornography, including on the Internet, and support child victims of violence, sexual abuse and trafficking.

20. We are committed to the promotion of the rights of persons with disabilities and have ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Italian law has been accordingly amended. Italian Development Cooperation has adopted new guidelines for mainstreaming the issue of disability in its international initiatives and specific attention is dedicated to the protection of persons with disabilities in emergency and post-conflict situations. Through a contribution to the World Bank, Italy is also supporting the work of the Global Partnership for Disability and Development. We will:

(a) Continue to promote implementation of the principles contained in the Convention and its Optional Protocol;

(b) Further support initiatives to promote the rights of persons with disabilities, in cooperation with United Nations agencies and other international organizations.

21. Italy is committed to promoting the abolishment of the death penalty worldwide and attaches the utmost importance to the establishment of a moratorium on the application of capital punishment. Italy will continue to advocate for the adoption of a universal moratorium on the use of the death penalty with a view to its complete abolition.

22. In the field of rule of law and promotion of democracy, Italy will:

(a) Continue to support electoral observation missions and follow-ups in countries throughout the world;

(b) Strengthen partnerships with Governments, parliaments and civil society to train officials from countries in post-conflict situations, particularly in the judicial sector.

23. Full respect of human rights is one of the cornerstones of Italian domestic and foreign policy in the field of counter-terrorism. In the United Nations context, Italy actively supports all initiatives aimed at promoting and implementing respect for fundamental freedoms in the struggle against terrorism. These include the review of the United Nations Global Counter-Terrorism Strategy, listing and delisting procedures of terrorist groups and individuals according to Security Council resolutions 1267 (1999) and 1373 (2001) and technical assistance through international offices and institutions such as the United Nations Office on Drugs and Crime.

24. Moreover, Italy has promoted a comprehensive debate on the fight against terrorism worldwide during its term as President of the Group of Eight in 2009, when a declaration on counter-terrorism was adopted at the Group of Eight summit in L'Aquila. Italy will continue to support the implementation of the United Nations Global Counter-Terrorism Strategy, paying special attention to its four pillars, and to assure that the fight against terrorism is grounded in the protection of human rights and the rule of law.

25. As a contracting party to all the main international legal instruments against human trafficking, Italy is fully committed to the fight against trafficking in human beings. One example of Italian-funded initiatives in this field is the handbook on direct assistance for victims of trafficking published by the International Organization for Migration. The Italian legal framework is victim-centred, human rights-oriented and gender- and child-sensitive, focusing on the legal protection of all victims and a greater involvement of non-governmental organizations and local communities. The crucial feature of this legislation is the special renewable residence permit issued to the victims of trafficking. Italy will continue to:

(a) Support projects to combat human trafficking in cooperation with the United Nations institutions and other international organizations that address this issue;

(b) Protect and assist the victims of human trafficking at the domestic and international levels.

26. To enhance the role of civil society in the formulation and implementation of human rights policy and programmes, several permanent consultative mechanisms have been created at the central and local levels. Italy will promote an ongoing, open dialogue with civil society organizations active in the promotion and protection of human rights, involving them in the drafting of actions and policies through permanent consultative mechanisms at the central and local levels.

27. We welcome the universal periodic review of Italy that took place in the Human Rights Council in February and June 2010, which gave an assessment of our domestic progress in the field of human rights.

28. The recommendations that were accepted at the end of the process (78 out of a total of 92) will help the Italian Parliament and Government to draw up a road map for their work in human rights and represent an incentive to deliver within a precise time frame. On the whole, the review will help to strengthen and improve our human rights policy.

29. In connection with its universal periodic review process, Italy confirms its willingness to implement in a timely manner all accepted recommendations, including those in important areas such as the fight against racism and racial discrimination, the situation of migrants and asylum-seekers, the treatment of the Roma and Sinti communities, the human rights of women and children, freedom of opinion and expression, independence of the judiciary and administration of justice, and the commitment to establish a national independent human rights institution in accordance with the Paris Principles.